



CineCast.5014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Sprogis GROUP: 3622
SERIAL NO: 09/627,870 EXAMINER: Myhre, J.
FILED: July 28, 2000
FOR: SYSTEM AND METHOD FOR DIGITALLY PROVIDING
AND DISPLAYING ADVERTISEMENT INFORMATION
TO CINEMAS AND THEATRES

Mail Stop AF
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed October 21, 2005 finally rejecting claims 27-47.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

☐ other than a small entity

☒ small entity

Verified statement

☐ attached

☒ already filed

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(b) the fee for filing the Notice of Appeal is:

☒ small entity \$250.00

☐ other than a small entity \$500.00

Notice of Appeal fee due \$250.00

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450, Mail Stop: AF

Date: 10/31/2005

Meghan H. Carr
(type or print name of person mailing paper)


(Signature of person mailing paper)

3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 CFR 1.191 are subject to the provision of § 1.136 for patent applications 37 CFR 1.191(d). (But see 37 CFR 1.645 for extension of time in interference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings).

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(a) _____ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
— one month	\$120.00	\$60.00
— two months	\$450.00	\$225.00
— three months	\$1,020.00	\$510.00
— four months	\$1,590.00	\$795.00
		Fee \$

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

— An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.
Extension fee due with this request \$

or

(b) X Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$250.00

Extension fee (if any) \$

TOTAL FEE DUE \$250.00

5. FEE PAYMENT

 X Attached is a check in the sum of \$ 250.00.

— Charge Account No. _____ the sum of \$ _____.

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

X If any additional extension and/or fee is required charge Account No. 19-0079.

AND/OR

X If any additional fee for claims is required, charge Account No. 19-0079.

Reg. No.: 35,192

Tel. No.:(617) 426-9180

Extension: 111

SIGNATURE OF ATTORNEY



William E. Hilton

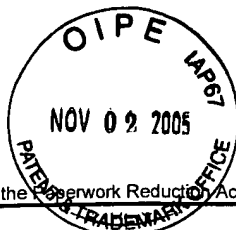
type or print name of attorney

Gauthier & Connors

P.O. Address

225 Franklin Street, Suite 2300

Boston, Massachusetts 02110



PTO/SB/31 (04-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

5014

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on October 31, 2005

Signature

Typed or printed
name

Meghan H. Carr

In re Application of

David H. Sprogis

Application Number
09/627,870Filed
07/28/2000For System and Method for Digitally Providing
and Displaying Advertisement Information...

Art Unit

3622

Examiner

Myhre, J.

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:\$ 250.00☒ A check in the amount of the fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 19-0079. I have enclosed a duplicate copy of this sheet.☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

11/03/2005 DTESSEM1 00000011 09627870

☐ applicant/inventor.

01 FC:2401

250.00 OP

Signature

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)William E. Hilton
Typed or printed name☒ attorney or agent of record.
Registration number 35,192

617-426-9180

Telephone number

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____

October 31, 2005

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.